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# Los Angeles County Sheriff's Department

# Officer Involved Shooting



| Report Date: 02-28-2011 | Bureau/Station/Facility: Norwalk | Admin. Invest.? ☐ | Hit? ☒ |
|---|---|---|---|

**Incident Information**

| | |
|---|---|
| URN: 910-17111-0459-031 | Date: November 05, 2010 — Time: 0230 hours |
| City or Station: Norwalk | Nature of Incident: Hit shooting following a vehicle pursuit. |
| Location: [redacted] Sproul Street, Norwalk, CA, 90650 | |

**Location Type** (*circle one or more*): Backyard, Beach, Business, Freeway, Industrial, Park, Parking Lot, Residence, Rural, School, (Street) — Other: ______

**Lighting** (*circle only one*): (Darkness), Daylight, Other, Street Lights

**Weather** (*circle only one*): (Clear), Cloudy, Fog, Rain

**Distance:** 30' / 20'

**Incident Type** (*circle one or more*): Accidental, (Armed Person), (Fleeing Suspect), Foot Pursuit, Gun Take Away, Moving Vehicle, Sniper/Ambush, Startle, Struggle Involved, Traffic Stop, Unarmed Person, Unintentional, (Vehicle Pursuit), Warrant Service, Warning Shot, Other: ______

**Initiated by** (*circle only one*): Arrest Warrant, (Call), Observation, One Person Unit, Other, Search Warrant, Two Person Unit

**Prior Activity** (*circle only one*): Detective, Inmate Transport, Other, (Routine Patrol)

Total # of Shots Fired by Deputy: 6

Total # of Shots Fired by Suspect: 0

Aero Unit? ☒ Canine Unit? ☒

**Employee Witnesses**

| Employee # | Last Name | First Name | M.I. | ShiftTime (*circle only one*) | ShiftType (*circle only one*) |
|---|---|---|---|---|---|
| None | | | | EM PM Day | Regular Overtime Off Duty |
| | | | | EM PM Day | Regular Overtime Off Duty |
| | | | | EM PM Day | Regular Overtime Off Duty |

**Non-Employee Witnesses**

| Last Name | First Name | M.I. | | |
|---|---|---|---|---|
| None | | | | |
| **Street Address** | **City** | **Zip Code** | **Work Ph** | **Home Ph** |
| **Last Name** | **First Name** | **M.I.** | | |
| | | | | |
| **Street Address** | **City** | **Zip Code** | **Work Ph** | **Home Ph** |
| **Last Name** | **First Name** | **M.I.** | | |
| | | | | |
| **Street Address** | **City** | **Zip Code** | **Work Ph** | **Home Ph** |

**Supervisors**

| Employee # | Last Name | First Name | M.I | (*circle one or more*) |
|---|---|---|---|---|
| [redacted] | [redacted] | [redacted] | [redacted] | (On Duty), Present during shooting, Witness to shooting, Involved in shooting |
| | | | | On Duty, Present during shooting, Witness to shooting, Involved in shooting |

**Watch Sergeant**

| Employee # | Last Name | First Name | M.I. |
|---|---|---|---|
| [redacted] | Franck | James | A. |

**Watch Commander**

| Employee # | Last Name | First Name | M.I. |
|---|---|---|---|
| [redacted] | Evans | William | S. |

**PSTD Use Only**

SH # SH2276842

School Information

| Arrival Date | Arrival Time | Date Submitted | Date of Recommendation |
|---|---|---|---|
| 0315 hrs. | 0500 hrs. | 03-01-2011 | |

| Employee # | Last Name | First Name | M.I |
|---|---|---|---|
| [redacted] | Vaughan | Steve | D. |
| [redacted] | Hill | Scott | G. |
| [redacted] | Maldonado | Albert | M. |

Shooting / Force Information

***Method***

(AW) Arwen
(BC) Baton:(Control)
(BI) Baton:(Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds:(Control Techniques)
(TT) Control Holds:(Team Takedown)
(TD) Control Holds:(Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device:Hobble (Legs Only)
(TP) Restraint Device:Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

***Type of Injury***

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

***Body Part Injured***

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hand
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(SH) Shoulder
(WR) Wrist

***Brand***

(AK) AK-47
(BN) Benelli
(BR) Beretta
(BW) Browning
(CH) Charter Arms
(CO) Colt
(DA) Davis Industries
(GL) Glock
(HA) Harrington & Richardson
(HI) Hi Standard
(HK) H & K
(IT) Ithica
(IV) Iver Johnson
(JE) Jennings
(LO) Lorcin
(LU) Luger
(MA) Marlin
(MO) Mossberg
(NC) NCI aka SKS
(NA) North American
(NO) Norinco
(RA) Raven
(RM) Remington
(RG) RG
(RI) RGI
(RO) Rossi
(SW) Smith & Wesson
(SR) Sturm Ruger
(ST) Sterling
(TA) Taurus
(WE) Weatherby
(WN) Winchester
(US) US Government
(YY) Handmade (Inmate)
(XX) Homemade (Non-Inmate)
(ZZ) Other Brand

***Caliber***

(9) 9 mm
(10) 10 mm
(12) 12 guage
(20) 20 guage
(21) .22-250
(22) .22 caliber
(23) .223 caliber
(24) .243 caliber
(25) .25 caliber
(30) .308 caliber
(35) .357 caliber
(36) 30-60 caliber
(38) .38 caliber
(40) .40 caliber
(41) .410 guage
(44) .44 caliber
(45) .45 caliber
(50) 50 mm
(SL) Slug
(WW) Other caliber

***FORCE APPLIED*** *(one code per block)*

| Used By (E# or S#) | Used Against (E# or S#) | Method (Code) | Brand (Code) | Caliber (Code) | Authorized Weapon? (Y/N) | Authorized Ammunition? (Y/N) | Type of Injury (Code) | Body Part (Code) |
|---|---|---|---|---|---|---|---|---|
| S1 | E1 | FH | JE | 22 | N | N | NN | |
| E1 | S1 | FH | BR | 9 | Y | Y | NN | |
| S1 | E1 | FH | JE | 22 | N | N | NN | |
| E1 | S1 | FH | BR | 9 | Y | Y | NN | |
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# Officer Involved Shooting
# Involved Employee Information

URN: 910-17111-045 9031



Involved Employee

**E 1**

| | | | |
|---|---|---|---|
| Employee # [redacted] | Last Name Villasenor | First Name Isidro | M.I. |
| Sex: M Race: H | Rank Deputy Sheriff | Unit Assignment: Norwalk | Work Assignment (Unit #, Module, etc.): 43K1 |
| ShiftTime (*circle only one*): (EM) PM Day | ShiftType (*circle only one*): (Regular) Overtime Off Duty | Intoxication/Drug Usage? ☐ | Substance Used: |
| Hospital Admission? ☐ | Hospital Name: | Coroner Case? ☐ | Coroner Case # / Interviewed? ☐ |
| Hrs of sleep prior to shooting: 8 | Duty Time (hrs): [redacted] | Clothing (*circle only one*): Plain Clothes no Vest, Raid Jacket w/ Vest, Plain Clothes w/ Vest, Uniform no Vest, Raid Jacket no Vest, (Uniform w/ Vest) | Other Factors: None |
| Age: [redacted] Height: 5'10" | Weight: 175 | | |
| Range Qualification Date: [redacted] | PPC Qualification Date: [redacted] | Laser Training Date: [redacted] | |
| Certified with Weapon Used? [redacted] | Patrol Certification? [redacted] | Certification Unit: [redacted] | Prior Shootings? [redacted] Number of Prior Shootings: [redacted] |
| Field Training Officer Emp # [redacted] | Last Name [redacted] | First Name [redacted] | M.I. [redacted] |
| Field Training Officer Emp # [redacted] | Last Name [redacted] | First Name [redacted] | M.I. [redacted] |

**E**

| | | | |
|---|---|---|---|
| Employee # | Last Name | First Name | M.I. |
| Sex: Race: | Rank | Unit Assignment: | Work Assignment (Unit #, Module, etc.): |
| ShiftTime (*circle only one*): EM PM Day | ShiftType (*circle only one*): Regular Overtime Off Duty | Intoxication/Drug Usage? ☐ | Substance Used: |
| Hospital Admission? ☐ | Hospital Name: | Coroner Case? ☐ | Coroner Case # / Interviewed? ☐ |
| Hrs of sleep prior to shooting: | Duty Time (hrs): | Clothing (*circle only one*): Plain Clothes no Vest, Raid Jacket w/ Vest, Plain Clothes w/ Vest, Uniform no Vest, Raid Jacket no Vest, Uniform w/ Vest | Other Factors: |
| Age: Height: | Weight: | | |
| Range Qualification Date: | PPC Qualification Date: | Laser Training Date: | |
| Certified with Weapon Used? ☐ | Patrol Certification? ☐ | Certification Unit: | Prior Shootings? ☐ Number of Prior Shootings: |
| Field Training Officer Emp # | Last Name | First Name | M.I. |
| Field Training Officer Emp # | Last Name | First Name | M.I. |

**E**

| | | | |
|---|---|---|---|
| Employee # | Last Name | First Name | M.I. |
| Sex: Race: | Rank | Unit Assignment: | Work Assignment (Unit #, Module, etc.): |
| ShiftTime (*circle only one*): EM PM Day | ShiftType (*circle only one*): Regular Overtime Off Duty | Intoxication/Drug Usage? ☐ | Substance Used: |
| Hospital Admission? ☐ | Hospital Name: | Coroner Case? ☐ | Coroner Case # / Interviewed? ☐ |
| Hrs of sleep prior to shooting: | Duty Time (hrs): | Clothing (*circle only one*): Plain Clothes no Vest, Raid Jacket w/ Vest, Plain Clothes w/ Vest, Uniform no Vest, Raid Jacket no Vest, Uniform w/ Vest | Other Factors: |
| Age: Height: | Weight: | | |
| Range Qualification Date: | PPC Qualification Date: | Laser Training Date: | |
| Certified with Weapon Used? ☐ | Patrol Certification? ☐ | Certification Unit: | Prior Shootings? ☐ Number of Prior Shootings: |
| Field Training Officer Emp # | Last Name | First Name | M.I. |
| Field Training Officer Emp # | Last Name | First Name | M.I. |

# Officer Involved Shooting Suspect Information

URN: 910-17111-0459031



Suspect Information

**S 1**

| | | |
|---|---|---|
| Last Name [redacted] | First Name [redacted] | M.I. [redacted] |
| AKA Last Name | First Name | M.I. |

| | | | |
|---|---|---|---|
| Sex: M Race: H | Street Address: [redacted] | City [redacted] | State & Zip Code: [redacted] |
| Work Phone: [redacted] | Home Phone: [redacted] | Social Security #: [redacted] | Driver's License #: [redacted] |
| Age: 17 D.O.B. [redacted] | Height: 5'09" Weight: 150 | FBI # [redacted] | CII # [redacted] |
| Booking # 2542933 | Primary Charge: 1203.2 PC | Secondary Charge: Not Noted | |
| Coroner Case? ☐ | Coroner Case # N/A | Intoxication/Drug Usage? ☐ | Substance Used: Not Noted |
| Armed? ☒ | Apprehended? ☒ | Mental Illness? ☐ | Criminal History? [redacted] |
| Vehicle Make Jeep | | Model: Cherokee | Year: 1997 |

**S__**

| | | |
|---|---|---|
| Last Name | First Name | M.I. |
| AKA Last Name | First Name | M.I. |

| | | | |
|---|---|---|---|
| Sex: Race: | Street Address: | City | State & Zip Code: |
| Work Phone: | Home Phone: | Social Security #: | Driver's License #: |
| Age: D.O.B. | Height: Weight: | FBI # | CII # |
| Booking # | Primary Charge: | Secondary Charge: | |
| Coroner Case? ☐ | Coroner Case # | Intoxication/Drug Usage? ☐ | Substance Used: |
| Armed? ☐ | Apprehended? ☐ | Mental Illness? ☐ | Criminal History? ☐ |
| Vehicle Make | | Model: | Year: |

**S__**

| | | |
|---|---|---|
| Last Name | First Name | M.I. |
| AKA Last Name | First Name | M.I. |

| | | | |
|---|---|---|---|
| Sex: Race: | Street Address: | City | State & Zip Code: |
| Work Phone: | Home Phone: | Social Security #: | Driver's License #: |
| Age: D.O.B. | Height: Weight: | FBI # | CII # |
| Booking # | Primary Charge: | Secondary Charge: | |
| Coroner Case? ☐ | Coroner Case # | Intoxication/Drug Usage? ☐ | Substance Used: |
| Armed? ☐ | Apprehended? ☐ | Mental Illness? ☐ | Criminal History? ☐ |
| Vehicle Make | | Model: | Year: |

**S__**

| | | |
|---|---|---|
| Last Name | First Name | M.I. |
| AKA Last Name | First Name | M.I. |

| | | | |
|---|---|---|---|
| Sex: Race: | Street Address: | City | State & Zip Code: |
| Work Phone: | Home Phone: | Social Security #: | Driver's License #: |
| Age: D.O.B. | Height: Weight: | FBI # | CII # |
| Booking # | Primary Charge: | Secondary Charge: | |
| Coroner Case? ☐ | Coroner Case # | Intoxication/Drug Usage? ☐ | Substance Used: |
| Armed? ☐ | Apprehended? ☐ | Mental Illness? ☐ | Criminal History? ☐ |
| Vehicle Make | | Model: | Year: |



See Other Side

# INVESTIGATIVE SUMMARY

DEPUTY INVOLVED NON-HIT SHOOTING
IAB # SH 2276842
URN #910-17111-0459-031

| | |
|---|---|
| INVOLVED EMPLOYEE: | **VILLASENOR**, Isidro, #[redacted]<br>Field Operations Region III - Norwalk Station<br>Date of Employment: 07-30-2007<br>Date assigned to Patrol: [redacted]<br>Completed Patrol Training: [redacted]<br>Prior Shooting Incident(s): [redacted]<br>Prior Founded Force Incidents(s): [redacted] |
| **SUSPECTS:** | [redacted] MH/17, DOB [redacted]<br>**WEBSTER**, Daniel, MH/27, DOB 04-26-1983 |
| **DATE & TIME:** | November 05, 2010, 0230 hours |
| **LOCATION:** | [redacted] Sproul Street, Norwalk, CA 90650 |
| **INVESTIGATOR:** | Sergeant Scott Hill, #[redacted] |

**Synopsis:**

On November 4, 2010, at 2345 hours, two suspects committed an armed robbery at the "Valero" Gas Station, located at 12800 Rosecrans Avenue, in the city of Norwalk. Deputy Villasenor, who was monitoring radio traffic, noted the suspects fled in a white Jeep. Approximately two hours later, while monitoring traffic at the intersection of Rosecrans Avenue and Bloomfield Street, Deputy Villasenor saw a white Jeep. He caught up with the Jeep at the Golden State Freeway off ramp and eastbound Firestone Blvd.

When the occupants of the Jeep became aware of Deputy Villasenor's presence, a pursuit ensued. The suspects abandoned the Jeep, at [redacted] Sproul Street. Both suspects jumped from the moving vehicle and fled in opposite directions. One suspect, later identified as [redacted] produced a handgun and pointed it at Deputy Villasenor as he fled. Fearing for his life, Deputy Villasenor fired several rounds at Suspect [redacted] Suspect [redacted] fell to the ground. Believing he had wounded the suspect, Deputy Villasenor left his position of cover (his vehicle) and approached the Suspect. Suspect [redacted] got up and pointed his weapon at Deputy Villasenor for a second time, and again, fearing for his life, Deputy Villasenor fired one round at Suspect [redacted]

Suspect [redacted] fled and was later apprehended in a nearby house by deputies assigned to the Special Enforcement Bureau.

A .22-caliber pistol was later recovered and surrendered to Detective Espeleta by a resident who wished to remain anonymous.

## Criminal History:

[redacted]

Refer to Exhibit "F"

**Daniel Webster**

Refer to Exhibit "G"

## Criminal Filing:

Detective Espeleta stated Suspect [redacted] is in custody on an unrelated probation hold. Charges will not be filed until pending biological evidence is received from the Sheriff's Crime Lab.

## Injuries:

**Suspect [redacted]**

During his arrest, Suspect [redacted] was bitten by a SEB K9. He suffered a laceration on his lower left leg, refer to Deputy Michael J. Pokorny, #[redacted] and Deputy Dennis J. Missel, #[redacted] supplemental reports for further information. Suspect [redacted] was transported to Whittier Presbyterian Hospital for treatment. Physician's Assistant David Samuelson applied two sutures to Suspect [redacted] lower left leg. X-ray's showed no fracture of the left leg. Suspect [redacted] patient medical record number was 001015973 and his patient identification number was 000045299112.

Suspect [redacted] was medically cleared for booking by Physician Assistant Samuelson on November 11, 2010, at 0355 hours.

## Physical Evidence:

Refer to LASD Crime Lab reports, Exhibits "D & I."

Physical evidence related to Deputy Villasenor's weapon was processed under lab receipt #K115471 by Senior Criminalist Robert D. Keil, #[redacted]

## Photographic Evidence:

Refer to Exhibit "C"

## Weapon Used by Deputy Personnel:

**Deputy Isidro Villasenor**

| | |
|---|---|
| Service Weapon: | Beretta, Model 92FS, Semi-automatic pistol, serial number BER[redacted] |
| Ammunition: | 9mm Luger |
| Shell Casings: | Six |
| Date Employee Last Qualified: | [redacted] |
| Date Last Trained with Weapon: | |

Deputy Villasenor's weapon was examined by Senior Criminalist Robert D. Keil, #[redacted] The weapon was test fired, and found to be functional and within Department standards. The test was conducted by the Los Angeles County Sheriff's Department Scientific Services Bureau, Firearms Identification Section, under lab receipt No. K115472 (Refer to Exhibit "J").

## Weapon Used by Suspect:

| | |
|---|---|
| Model: | Jennings Firearms Inc., .22-caliber, Semi-automatic pistol, no serial number |
| Ammunition: | .22-caliber long rifle (5) rounds |
| Shell Casings: | One, stove piped in the weapon |

Refer to Los Angeles County Sheriff's Department Scientific Services Bureau, Firearms Identification Section, under lab receipt No. K115470, refer to Exhibit "C" Photograph H.

> **IAB Note:** The weapon found in a nearby backyard and later released to Detective Espeleta was sent to the Sheriff's Crime Lab for DNA and latent prints. Neither DNA nor prints were found on the weapon.

## Property Damage:

Refer to Exhibit "I"

> **IAB Note:** Damage to the Jeep Cherokee (collision with a tree) occurred prior to the shooting and therefore was not part of this review.

## Lighting and Weather Conditions:

The shooting occurred during night hours. The weather was clear. Lighting was provided by street lights, headlights, and a gun mounted tactical flashlight.

## Involved Employee Statements:

**Deputy Isidro Villasenor, #[redacted]**

**Internal Affairs Bureau Interview:**

Deputy Villasenor was interviewed by IAB Sergeants Scott Hill and Al Maldonado on November 5, 2010 at 0920 hours. The interview was digitally audio recorded. The narrative which follows is intended only as a synopsis of the IAB interview. Additional information and precise wording may be obtained by reviewing Deputy Villasenor's recorded interview.

On November 4, 2010, Deputy Isidro Villasenor was working unit 43K1. He had been assigned to Norwalk station for two years.

Earlier in the night (2345 hours), an armed robbery had occurred at 12800 Rosecrans Avenue, at the "Valero" gas station. The suspect vehicle was described as a white Jeep. A night employee of the Guest House Motel notified the Norwalk desk that the white Jeep had been seen driving past the Guest House Motel at approximately 0145 hours. The desk in turn typed an MDT message to the field units notifying them of the sighting. In hopes of finding the Jeep, Deputy Villasenor parked his patrol car at "Jacks Liquor Store" and began monitoring vehicle traffic at Bloomfield Avenue and Rosecrans Blvd. Eventually a white Jeep heading west on Rosecrans Blvd., from under Interstate 5, drove past him.

Deputy Villasenor pulled onto Rosecrans Blvd. and began following the Jeep. Based on the robbery victim's statements, Deputy Villasenor was under the impression only one suspect perpetrated the robbery, therefore, there would only be one person in the Jeep.

Deputy Villasenor caught up with the Jeep at Firestone Blvd., and the on-ramp to Interstate 5. He noted there were no license plates on the vehicle. Because the driver sped up after stopping for the stop sign, Deputy Villasenor believed the driver was now aware of his presence.

> **IAB Note:** The Jeep was reported stolen out of Lakewood Station's area on 11/04/2010.

Deputy Villasenor broadcast that he was "Code 9" behind a possible "211" vehicle. Deputy Villasenor followed the vehicle a short distance. When it reached Norwalk Blvd. the driver's door opened and it appeared to Deputy Villasenor that the driver was going to jump out of the moving vehicle. The driver closed the door and began driving more erratically. This observation reenforced Deputy Villasenor's belief that there was only one occupant in the vehicle.

Deputy Villasenor stated his plan was to follow the vehicle until other units and/or an Aero unit arrived. He stated Norwalk station was only about one minute away, so assisting units would arrive quickly.

After the driver attempted to jump from the moving vehicle, Deputy Villasenor advised he was now in pursuit of the vehicle. Refer to Exhibit "I" for a sketch, drawn by Deputy Villasenor, of the route Suspect [redacted] took just before he jumped from the Jeep. Deputy Villasenor estimated their speeds did not exceed 35 to 40 mph, he stated there was "no traffic" on the streets.

Still believing there was only one person in the Jeep and he was probably going to jump out of the vehicle and run, Deputy Villasenor's plan was to box in the suspect. Deputy Villasenor knew that Interstate 5 would limit the suspect's avenues of escape. He had already decided he was not going to chase the suspect, but instead was going to direct the responding units and contain the area.

When the vehicle reached Silverbow Avenue and Sproul Street, the driver's door opened again and the driver, later identified as Daniel Webster jumped from the moving vehicle and ran north out of sight. Deputy Villasenor stopped his vehicle approximately fifty feet west of where he had seen Suspect Webster exit the Jeep (Refer to Exhibit "C" Photographs A & D). Seconds later, with the Jeep still rolling east, the Jeep's passenger door opened and the passenger, later identified as [redacted] exited and ran south. Deputy Villasenor stated Suspect [redacted] had a black handgun in his right hand. Up until this point, Deputy Villasenor had no idea there were two suspects in the Jeep. Deputy Villasenor stated it was time to switch to "Plan B." The new plan focused on Suspect [redacted]

> **IAB Note:** Deputy Villasenor moved his vehicle approximately ten feet east after the shooting occurred. It's position in photographs A & D has been changed from its position just prior to the shooting.

Deputy Villasenor stated he didn't see Suspect [redacted] weapon until Suspect [redacted] was three or four feet from the Jeep. Deputy Villasenor felt Suspect [redacted] knew Deputy Villasenor had raised his weapon and was pointing it at Suspect [redacted] because the Suspect was "kind of ducking, waiting for what was coming and I was doing the same, ducking and waiting for . . . "

Deputy Villasenor described the lighting in the area as good. He stated there was a large streetlight on the corner, his vehicle's headlights were on, as were the rotating red lights. Deputy Villasenor stated his weapon is equipped with a flashlight on it, which helped illuminate the Suspect.

Deputy Villasenor said;

> So when I saw the gun, at first I knew it was a gun. I didn't acknowledge it until I heard the clicking and . . . my gun has a light on it and I illuminated him with my gun and once I saw him pointing the gun toward me, and I hear the clicking, I put two and two together and I immediately knew it was a gun. At that point I was scared and I just started firing at him. I believe I shot five to, five or six or seven rounds there.

> **IAB Note:** Deputy Villasenor stated that when he first fired at Suspect [redacted] the Suspect was in the middle of the intersection, in the general area where his flashlight had fallen, (Refer to Exhibit "C" Photograph "C"). The distance was approximately twenty feet.

After firing at Suspect [redacted] he ([redacted]) stumbled and fell to the ground.

> He stumbled closer to the sidewalk. He almost went face first into the wall, that's how close he was. So I figured I got him... So my adrenaline was kind of up. I kind of moved away from my vehicle and I went toward the front of my vehicle to get a better look at him, while still keeping like, I had him at gunpoint and then he, he popped, within seconds popped up and then I see his hands come up again. So I fired, I think one more round.

Deputy Villasenor described the aftermath, "Then he jumps over the, there was two cinder block walls at the corner, at the residence. He jumps over that and goes east through the yard and out, through the darkness and a bunch of trees (refer to Exhibit "C" Photographs F & G)."

> **IAB Note:** The distance from Deputy Villasenor's vehicle to the area of the second shooting was approximately 40-50 feet. Deputy Villasenor's rounds impacted the concrete wall at [redacted] (Refer to Exhibit "C" Photograph "I").

After firing the second series of rounds, Deputy Villasenor broadcast "998" via his handheld radio.

> **IAB Note:** Deputy Villasenor fired a total of six rounds.

On November 6, 2010, a witness who wished to remain anonymous (Refer to Deputy Jesus Polanco's, #[redacted] supplemental report, Exhibit "B") gave Detectives Espeleta and Suh, a .22-caliber handgun (Refer to Exhibit "C" Photograph H). The witness found the weapon in his/her backyard. The witness said, at approximately 0130 hours, he/she heard some dogs barking. He/she looked outside and saw a male wearing a grey or light-colored T-shirt, 5'10", 190 pounds, walking east on Sproul Street in front of his/her house. Approximately two minutes later, the witness heard a single gunshot. He/she looked out his/her window again and saw a male Hispanic (same clothing and physical description as before) running east on Sproul Street to north Belmart Avenue

> **IAB Note:** The witness was shown a photographic line-up by Detective Espeleta. He/she selected the photograph of Suspect [redacted] and identified him as the person he/she had seen running east on Sproul Street immediately after the shooting.

The witness stated he/she has known Suspect [redacted] for approximately one and a half years. They lived on the same street (Sproul). Approximately three months prior to Deputy Villasenor's shooting, the witness stated he/she had seen Suspect [redacted] with a .22-caliber handgun. The witness stated he/she recognized the handgun he/she found in his/her backyard as similar to one he/she had seen Suspect [redacted] in possession of three months prior.

Deputy Polanco examined the pistol and found it contained five live .22-caliber long rifle rounds. An expended round was "stove piped" in the weapon's slide mechanism. This "stove piped" round rendered the weapon inoperable.

> **IAB Note:** Deputy Villasenor reported hearing a "clicking" sound, as though the weapon's trigger was being repeatedly pulled by Suspect [redacted]

**<u>Suspect Statements:</u>**

Suspect [redacted] declined to make a statement to IAB investigators.

> **IAB Note:** A replica handgun was recovered from the Jeep. Detective Espeleta stated this weapon was used by the suspects at the "Valero" robbery.

**<u>Sworn Witness Statements:</u>**

**None**

## Civilian Witness Statements:

**None**

Refer to LASD supplemental reports in Exhibit "B" for person(s) contacted by Norwalk Detectives.